

Notice of Allowability

Application No.

10/617,773

Examiner

Charles Chow

Applicant(s)

MIYACHI ET AL.

Art Unit

2618

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 10/2/2006.
2. ☒ The allowed claim(s) is/are 6, 7 and 10-13.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some* c) ☐ None of the:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|--|---|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date _____ |
| 3. <input checked="" type="checkbox"/> Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date <u>3/3/2006</u> | 7. <input type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other _____ |

Detailed Action

1. This office action is for amendment received on 10/02/2006.

Allowable Subject Matter

2. The following is an examiner's statement of reasons for allowance:

Claims 6-7, 10-13 are allowable over the prior art of record. The prior arts fail to teach the allowable features, singly, particularly, or in combination.

Applicant has canceled other claims and amended the previously objected claims 6-7, 10-13 to be the independent claims based claims objection in the previous office mailed 6/30/2006 [page 7 of applicant amendment].

The prior arts fail to teach the allowable features for a cellular mobile phone driven by a battery, the phone comprising a transmit/receive unit for providing an external device with notification of the measured terminal voltage and current, and receiving notification of available time for the cellular mobile phone, wherein the external device has calculated the available time while updating, when necessary, data which indicates remaining capacity of the battery in terms of the terminal voltage of the battery; a display unit for displaying thereon the notified available time;

a temperature detection unit; wherein the the transmit/receive unit also functions to notify the external device of the detected temperature so that the indicating the remaining capacity is corrected by external device in accordance with the detected temperature [claim 6];

further comprising, the notifying the external device of radio wave receiving condition in the cellular mobile phone so that the available time for the cellular mobile phone is calculated by the external device based on the magnitude of the battery's current

which is required in accordance with the radio wave receiving condition in the cellular mobile phone [claim 7];

further comprising, the wherein in control unit exercises control in order to reduce, in accordance with the magnitude of remaining available capacity of the battery, the number of times a process for making a backup of user data is performed, and functions to delay the backup processor if capacity of the battery is sufficient larger [claim 10];

further comprising, the wherein the phone is structured in such a manner that a memory in which the backup of the user data is stored may be selected from among an internal memory, a home memory for managing subscriber information, and an external memory other than the home memory [claim 11];

further comprising, wherein the control unit also functions to find and delete unnecessary data in the user data if remaining capacity of a memory in which the backup of the user data is to be stored is insufficient [claim 12];

a semiconductor integrated circuit for a cellular mobile phone; wherein the control unit exercises control in order to reduce in accordance with the magnitude of remaining available capacity of the battery, the number of times a process for making a backup of user data is performed [claim 13].

The closest prior art Jung (US 6,484,110 B1) teaches the microprocessor 182 measures the battery voltage & current [col. 4, line 53-64], for calculating available time, S105, for the cellular mobile phone[col. 4, lines 59-64], the looping back from S108 to step S103 for reading of the capacity, mAh, & battery terminal voltage in order to recalculate the available time, after a preset time in S108, Fig. 4, col. 4, lines 49 to col. 5, line 9], the displaying of the available time [S106, Fig. 4, col. 5, lines 12-20], but fails to teach the above allowable features.

Singleton (US 6,501,949 B1) teaches the mobile station 12 has transmit/receive 58 for remotely transmitting the measured, calculated, power source capacity information to network 10 [col. 4, line 3 to col. 5, line 10 & col. 5, line 31-50]; the transmitting of the measured voltage & current of the mobile power source [col. 8, lines 30-38]; the wireless network analyzes the received available power source status information [col. 1, lines 46-55], for the emergency call situation [col. 2, lines 11-19], but fails to teach the above allowable features.

Other prior arts in below has been considered, but they fail to teach the above allowable features.

Bigwood et al. (US 2002/0086,718 A1) teaches the mobile units for over the air transmitting of the battery parameter, battery condition, to fleet controller of mobile units, for notifying current battery capacity condition [Fig. 1-2, abstract, paragraphs 0011-0018].

Higuchi et al. (US 2001/0008,424 A1) teaches the micro-computer 63 of the video camera 60 communicates with the battery 1 via communication circuit 65, for receiving the residual battery capacity, charging/discharging current, detected voltage from battery 1, for displaying the calculated result of the residual battery capacity [abstract, Fig. 1/Fig. 6].

Green Jr. et al. (US 6,201,372 B1) teaches portable telephone having battery pack gauge for indicating the battery remaining capacity to portable phone, for a decision to switch into a power saving mode [abstract, Fig. 1].

Kawahara et al. (US 5,739,674) teaches the portable unit 1 for transmitting remaining battery capacity indication signal to communication unit 2 according to the battery capacity range of the indicator lamp in a system 10 [abstract, Fig. 1].

Art Unit: 2618

Ooi et al. (US 2004/0104,706 A1) teaches a battery pack 4 communicates with a electrical equipment 1 with the battery information, for the displaying of remaining battery capacity on the electrical equipment 1 [abstract, Fig. 1].

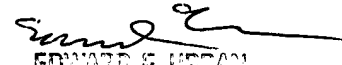
Other prior arts are also considered, they are Ishida (Us 6,313,832 B1), Choo (US 2002/0093,312 A1), Patino et al. (US 6,384,578 B1), Uskali et al. (US 5,455,499).

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Charles C. Chow whose telephone number is (571) 272-7889. The examiner can normally be reached on 8:00am-5:30pm. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward Urban can be reached on (571) 272-7899. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Charles Chow  October 5, 2006.


EDWARD F. URBAN
SUPERVISOR, PATENT EXAMINER
TECHNOLOGY CENTER 2600